

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

April 23, 2001

D036319 Israni v. Superior Court of San Diego County/City of San Diego et al.

The petition is denied. Each party is to bear its own costs of the writ proceeding. CERTIFIED FOR PUBLICATION. Huffman, Acting P.J.; I Concur: Nares, J., I Dissent: McDonald, J. (opinion.)

D037350 In re Brandon T., a Juvenile

The appeal is dismissed. Kremer, P.J., We Concur: Nares, J., McDonald, J.

D035258 Armenta v. Baxter Healthcare Corporation et al.

The petition for rehearing is denied.

D037446 Marriage of Stickland

Appellant's motion to vacate dismissal and reinstate appeal is granted. The order of dismissal dated March 22, 2001, is vacated and the appeal is reinstated.

The San Diego County Clerk of the Superior Court is directed to accept the designation of the record on appeal, provided the designation is presented within ten days from the date of this order.

D036446 People v. Lara

By order filed April 4, 2001, the court ordered the recall of the remittitur. On the court's own motion, rehearing is granted. This court's opinion filed January 17, 2001, is vacated and the opinion is refiled this date. The time for filing any petition for rehearing per California Rules of Court, rule 27 begins this date.

D036446 People v. Lara

The judgment is affirmed. Kremer, P.J.; We Concur: Haller, J., McDonald, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

April 24, 2001

D034792 People v. Lopez

The superior court's November 1999 order vacating Lopez's guilty plea and resulting judgment and sentence is reversed, and this matter is remanded for further proceedings. The superior court is ordered to compel Lopez to produce a copy of attorney Brenner's file related to her representation of Lopez and to conduct a new evidentiary hearing in due course following such production. Nares, J.;
We Concur: Huffman, Acting P.J., McIntyre, J.

D037369 In re Sherman on Habeas Corpus

The petition is denied.

D037720 Jean-Denis et al. v. Superior Court of San Diego County/Gordon-Payan

The petition is denied.

D030982 People v. Valadez

Submission in the above-entitled cause is vacated to allow the case to be decided with the accompanying petition for writ of habeas corpus, D036313. The cause will be resubmitted upon the filing of the traverse in the companion habeas corpus writ, D036313. Benke, APJ

D037372 Hsieh et al. v. Superior Court of San Diego County/Gallucci et al.

The petition is denied.

D035636 People v. Savilla

The judgment is affirmed. Work, J.; We Concur: Kremer, P.J., Nares, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

April 25, 2001

D036042 Greene v. MacFarlane

D036544 Greene v. MacFarlane

(consolidated) The order is affirmed. Work, J.; We Concur: Kremer, P.J., Huffman, J.

D034815 People v. Lozano

The judgment is affirmed. Work, J.; We Concur: Kremer, P.J., Huffman, J.

D034939 People v. Wade

The judgment is affirmed. McDonald, J.; We Concur: Haller, Acting P.J., O'Rourke, J.

D034842 In re Carl J., a Juvenile

The juvenile court's order declaring Carl a ward is affirmed. O'Rourke, J.; We Concur: Kremer, P.J., Huffman, J.

D035342 People v. Coria

The judgment is affirmed. O'Rourke, J.; We Concur: Kremer, P.J., Huffman, J.

D037284 Vicki H. v. Superior Court of San Diego County

The petition is denied. McDonald, J.; We Concur: Benke, Acting P.J., Nares, J.

D034597 People v. Harris

The petition for rehearing is denied.

D036789 In re Carl R., a Juvenile

The judgment terminating parental rights as to both Carl and Renne is reversed. The trial court is directed to hold a new section 366.26 hearing after a proper assessment report containing the information required under section 366.21, subdivision (I)(4) is prepared and submitted. Kremer, P.J.; We Concur: Benke, J., McIntyre, J.

D035995 John L. v. Superior Court of San Diego County/People

D036142 People v. Superior Court of San Diego County/Matthew F.

D036290 People v. Superior Court of San Diego County/Jonathan G.

(Consolidated) In case number D036142, let a writ of mandate issue directing the Superior Court to vacate its order of July 25, 2000, and enter a new and different order that the hearing to determine the placement of Matthew F. shall be conducted in conformance with Welfare and Institutions Code section 777 as amended by Proposition 21. In case number D036290, let a writ of mandate issue directing the Superior Court to vacate its order of August 23, 2000, and enter a new and different order that the hearing to determine the placement of Jonathan G. shall be conducted in conformance with Welfare and Institutions Code section 777 as amended by Proposition 21. The petition for writ of mandate in case number D035995 is denied. McDonald, J.; We Concur: Huffman, Acting P.J., Nares, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

April 25, 2001 (continued)

D037693 Enzo G. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency.

The attorney for petitioner Enzo G. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D037367 In re Alto on Habeas Corpus

The petition is denied.

D037568 Mission Hills Health Care Inc. v. Superior Court of San Diego County/Gallucci et al.

The petition is denied.

D037378 In re Larry on Habeas Corpus

The petition is denied.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

April 26, 2001

D037806 Edenbaum v. The Superior Court of San Diego County/Sim
The petition is denied.

D035988 People v. Resendiz
The judgment is affirmed. Huffman, J.; We Concur: Kremer, P.J., O'Rourke, J.

D035854 People v. Tompkins
Judgment affirmed. Huffman, J.; We Concur: Kremer, P.J., O'Rourke, J.

D032347 Alberts et al. v. Franklin et al.

D034874 Alberts et al. v. Ferrigno et al.

The petition for rehearing is denied. The request for publication of the opinion is denied. The opinion filed March 28, 2001, is modified as follows: As to the Albertses' causes of action for intentional and negligent infliction of emotional distress, and their defamation cause of action against Ferrigno, the orders are reversed and the matter is remanded with directions that the superior court strike those causes of action under section 425.16 and conduct further proceedings as necessary to determine whether appellants are prevailing defendants on their motion and the amount, if any, of reasonable attorney fees to which they are entitled. As to the Albertses' remaining claims, the orders are affirmed. The order awarding sanctions against Franklin is reversed. Each party is to bear its own costs on appeal. This modification does not change the judgment.

D036112 People v. Alan

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is dismissed and the remittitur is ordered to issue immediately.

D035648 In re Marriage of Pettigrew

The judgment is reversed and the matter is remanded to the trial court for further proceedings on valuation of the real properties and spousal support and any remaining issues, consistent with the views expressed above. Each party is to bear its own costs on appeal. Huffman, J.; We Concur: Benke, Acting P.J., Haller, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

April 27, 2001

D036129 In re Mateo S., a Juvenile

Judgment affirmed. Huffman, J.; We Concur: Benke, Acting P.J., McDonald, J.

D037721 Kent v. Superior Court of San Diego County/Kent

The petition is denied.

D037754 Grover v. Superior Court of San Diego County/City of San Diego

The petition is denied.

D034784 People v. Esparza

The judgment is affirmed. Kremer, P.J.; We Concur: Benke, J., Huffman, J.

D034264 People v. Hatchett

The judgment is affirmed. Work, J., We Concur: Kremer, P.J., Benke, J.

D034743 People v. Brunson

The judgment is affirmed. Work, Acting, P.J.; We Concur: Benke, J., McIntyre, J.

**D037694 Keiala F. v. Superior Court of San Diego County/San Diego County Health and
Human Services Agency**

The attorney for petitioner Keiala F. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D037814 People v. Jones

The notice of appeal is from a non-appealable order. (City of San Jose (1987) 195 Cal.App.3d 743.) The appeal is dismissed.